

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

05 SHAUN HUTTAR,) CASE NO. C09-0427-MJP
06 Plaintiff,)
07 v.) ORDER OF REMAND
08 MICHAEL J. ASTRUE,)
Commissioner of Social Security,)
09)
10 Defendant.)

11 The Court has reviewed the entire record, including the Administrative Record, the
12 memoranda of the parties, the Report and Recommendation of United States Magistrate Judge
13 Mary Alice Theiler, Plaintiff's objections to the Report and Recommendation (Dkt. No. 27),
14 and Defendant's response to Plaintiff's objections (Dkt. No. 28). The Court finds no error in
15 the Report and Recommendation. Having considered Plaintiff's objections, the Court finds
16 that the adverse credibility determination is supported by sufficient explanation and evidence in
17 the record. The ALJ's rejection of Dr. Gustafson's opinion was not erroneous. See Andrews
18 v. Shalala, 53 F.3d 1035, 1043 (9th Cir. 1995). The Court therefore ORDERS:

19 (1) The Court adopts the Report and Recommendation;

20 (2) The decision of the Administrative Law Judge is AFFIRMED in part, and

21 REVERSED and REMANDED in part for further administrative proceedings;

22 and

01 (3) The Clerk shall direct copies of this Order to all counsel and to Judge Theiler.
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DATED this 15th day of March, 2010.

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Marsha J. Pechman
United States District Judge